

Amended

RECEIVED

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE

☐ Eastern (Jackson) DIVISION

☒ Western (Memphis) DIVISION

2022 FEB -7 PM 9:41

THOMAS M. COULD  
CLERK U.S. DISTRICT COURT  
INWD OF TN MEMPHIS

Tasha L. Pede-Jeffries )

Plaintiff, )

vs. )

Shelby County Board of )  
Education )  
Defendant. )

22-2003

No. \_\_\_\_\_

COMPLAINT

1. This action is brought for discrimination in employment pursuant to (check only those that apply):



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (amended in 1972, 1978 and by the Civil Rights Act of 1991, Pub. L. No. 102-166) (race, color, gender, religion, national origin).

**NOTE:** In order to bring a suit in federal district court under Title VII, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission.



Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 - 634 (amended in 1984, 1990, and by the Age Discrimination in Employment Amendments of 1986, Pub. L. No. 92-592, the Civil Rights Act of 1991, Pub. L. No. 102-166)

**NOTE:** In order to bring a suit in federal district court under the Age Discrimination in Employment Act, you must first file charges with the Equal Employment Opportunity Commission.



Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 - 12117 (amended by the ADA Amendments Acts of 2008, Pub. L. No. 110-325 and the Civil Rights Act of 1991, Pub. L. No. 1102-166).

**NOTE:** In order to bring a suit in federal district court under the Americans with Disabilities Act, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission.



Tennessee Disability Act (TN Code Sec. 8-50-103.)



Tennessee Retaliation Act

**JURISDICTION**

2. Jurisdiction is specifically conferred upon this United States District Court by the aforementioned statutes, as well as 28 U.S.C. §§ 1331, 1343. Jurisdiction may also be appropriate under 42 U.S.C. §§ 1981, 1983 and 1985(3), as amended by the Civil Rights Act of 1991, Pub. L. No. 102-166, and any related claims under Tennessee law.

**PARTIES**

3. Plaintiff resides at:

4025 Bishops Bridge Road  
STREET ADDRESS  
Shelby Tenn 38118 (901) 553-2383  
County State Zip Code Telephone Number

4. Defendant(s) resides at, or its business is located at:

160 South Hollywood  
STREET ADDRESS  
Shelby Memphis Tenn 38112  
County City State Zip Code

NOTE: If more than one defendant, you must list the names, address of each additional defendant.

---

---

---

---

---

---

---

5. The address at which I sought employment or was employed by the defendant(s) is:

17923 Brunswick Rd (Bolton High School)

STREET ADDRESS

Shelby Millington TN 38002  
County City State Zip Code

6. The discriminatory conduct of which I complain in this action includes (*check only those that apply*)

- ☐ Failure to hire
- ☐ Termination of my employment
- ☐ Failure to promote
- ☒ Failure to accommodate my disability
- ☐ Unequal terms and conditions of my employment
- ☒ Retaliation
- ☐ Other acts(*specify*): \_\_\_\_\_

**NOTE:** Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court.

7. It is my best recollection that the alleged discriminatory acts occurred on:

8-24-2020 through 04-13-2021  
Date(s)

8. I believe that the defendant(s) (*check one*):

- ☒ is still committing these acts against me.
- ☐ is not still committing these acts against me.

9. Defendant(s) discriminated against me based on my:  
(*check only those that apply and state the basis for the discrimination. For example, if religious discrimination is alleged, state your religion. If racial discrimination is alleged, state your race, etc.*)

☐ Race \_\_\_\_\_

☐ Color \_\_\_\_\_

☐ Gender/Sex \_\_\_\_\_

☐ Religion \_\_\_\_\_

☐ National Origin \_\_\_\_\_

☒ Disability Fibromyalgia; arthritis

☐ Age. If age is checked, answer the following:  
I was born in \_\_\_\_\_. At the time(s) defendant(s) discriminated against me.

I was [ ] more [ ] less than 40 years old. (check one)

**NOTE:** Only those grounds raised in the charge filed the Equal Employment Opportunity Commission can be considered by the federal district court.

10. The facts of my case are as follows:

Since the filing of 2 previous EEOC charges and a private lawsuit, I continue to be discriminated against in that Defendant failed to provide a reasonable accommodation and engaged in the interactive process. I was placed at a school with no elevators. I was changed from a level 5 Teacher to a novice Teacher. I was subjected to 15 virtual classroom observations. I received a letter of surplus.

(Attach additional sheets as necessary)

**NOTE:** As additional support for your claim, <sup>\*</sup>you may attach to this complaint a copy of the \_\_\_\_\_

### **Historical Facts of Case**

The defendant stated in their position statement to EEOC that the plaintiff was terminated with cause in 2010. In February of 2010, the plaintiff received a non-renewal letter from her principal. The letter stated that the plaintiff didn't use researched-based strategies to help students pass standardized tests. However, the state test wasn't until May of that same year. After the students took the test, 100% of her students passed the state writing assessment as a result of her teaching methods, and a large percentage of her students passed the regular state test. Upon receiving her results, the plaintiff took them to the board so that her job could be reinstated. However, she was told that the decision to non-renew my contract was final. When the plaintiff applied for unemployment, she was denied because the defendant stated that it was with cause. Nevertheless, the plaintiff retained an attorney and participated in the appeals process. The evidence was presented to the adjudicator about why the defendant said that she was terminated as well as her test results. The adjudicator sided with the plaintiff because the plaintiff's test results negated what the defendant said. In 2013, the defendant began working with the district again. Since 2013, her evaluation and test scores were always above average. As a result of this, the plaintiff received bonuses, an opportunity to work at the board to help struggling teachers with evaluations, etc. However, once the plaintiff took a new job at a school in 2018, she noticed that she was being mistreated by a fellow colleague and administrators. As a result, her evaluation scores concerned her. She reported this information to the board, and she was told that they would correct the problem. Following that, a colleague began harassing her even further, so she recorded it on her camera. She provided the video to the defendant, and again, the defendant said they would correct the problem again. Instead of correcting the problem, the defendant began mistreating the plaintiff in various ways. Because the defendant did not fulfill their promises, the



plaintiff had to file an EEOC charge against the defendant in 2019. As a result of her filing the charge, retaliation began, and it has continued since that time.

**I. Retaliation Count**

1. Plaintiff's May 2021 filed EEOC Charge stated that Defendant retaliated against her for filing two previous charges of discrimination.
2. Plaintiff filed EEOC Charge of Discrimination 490-2021-01338 against Defendant in May 2021.
3. Plaintiff filed EEOC Charge no. 290-2020-00629.
4. Plaintiff filed EEOC Charge no. 490-2020-01952.
5. Plaintiff filed private pro se lawsuit, No. 2:20-cv-02836-TLP-tmp in Western District Federal Court against Defendant
6. Plaintiff's May 2021 filed EEOC Charge stated that Defendant placed her at a school in which there was no elevator from August 24, 2020, to October 29, 2020.
7. Plaintiff's May 2021 filed EEOC Charge stated that Defendant failed to discuss her need for a reasonable accommodation even though she requested them.
8. Plaintiff's May 2021 filed EEOC Charge stated that Defendant retaliated against her when they changed her from a level 5 Teacher to a Novice Teacher in September 2020.
9. Plaintiff's May 2021 filed EEOC Charge stated that Defendant subjected her to approximately 15 virtual classroom observations.
10. Plaintiff's May 2021 filed EEOC Charge stated that Defendant's Principal yelled at her during one or more of the 15 virtual observations in the presence of students.
11. Plaintiff's May 2021 filed EEOC Charge stated that she felt the multiple observations were intimidation and harassment because she received no feedback.

12. Plaintiff's May 2021 filed EEOC Charge stated that the intimidation and harassment Defendant subjected her to occurred from August 24, 2020, to October 29, 2020.
13. Plaintiff's May 2021 filed EEOC Charge stated that Defendant issued her, and she received a letter of surplus on October 22, 2020, but her position was replaced and she was placed at another location effective October 29, 2020.
14. Plaintiff's May 2021 filed EEOC Charge stated that after her transfer to another location, she reported a co-worker worked at the school in which she was transferred; even though, she complained to the board about his creating a hostile working for her in January of 2019.
15. Plaintiff's May 2021 filed EEOC Charge stated that Defendant's Principal harassed her when the principal accused her of not maintaining her grades.
16. Plaintiff's May 2021 filed EEOC Charge stated that Defendant's Principal harassed her about not attending after school meetings that were not mandatory and not held on faculty meeting days.
17. Plaintiff's May 2021 filed EEOC Charge stated that Defendant's Principal scolded her when she came into her classroom on April 20, 2021 as she tried to exit the building in a wheelchair.
18. Plaintiff's May 2021 filed EEOC Charge stated that due to Defendant's actions she had been off work with no pay.
19. Plaintiff's May 2021 filed EEOC Charge stated that Defendant's Principal continued to constantly email, call, and text her even though she was off on FMLA.
20. Plaintiff's May 2021 filed EEOC Charge stated that she has gone to work some days and not been paid.

21. Plaintiff's May 2021 filed EEOC Charge stated that she was placed at a school in which she had to travel 45 minutes away from home.

22. Plaintiff's May 2021 filed EEOC Charge stated that she had to teach a subject out of her certification, and when she told the principal this, she was told that she had to do it.

According to Tennessee Law 49-6-6006 (2019), "An educator may teach up to two (2) section of one (1) course outside the educator's area of endorsement each school year, with the exception of courses in which a state-level end of course examination is required." Science was a tested subject, but the plaintiff still had to teach it. In addition, to that, she was observed in that particular class period.

23. Plaintiff has also been excessed and/or laid off from different schools ever since she began filing charges.

24. Since the filing of the charge in May of 2021, the following events have occurred

A. She was told that she would receive a lump sum of her summer pay when she went on an unpaid period. However, when she never received it, she was told that she was \$6,000 in the negative.

B. Even though she was off on FMLA, she was told that if she didn't come to work that she would be given the maximum amount of evaluations the following school year.

C. She asked for a meeting to discuss a possible administrative transfer due to the harassment at the school where she was, but she was denied the request before the meeting even occurred. She was also told by Lauren Prater that because she was on FMLA that her absence should cut down on whatever problems that existed.

D. Plaintiff applied for a regular transfer, and she was given an interview. The morning of the interview, the principal contacted her via email and told her that the position



was no longer available and that no other positions matching her qualifications were available.

E. She was contacted by the principal, Shandia Gnintedem several times while she was on FMLA.

F. The plaintiff was given different rules to return from quarantine than another teacher.

The plaintiff was told that she needed to be cleared by a doctor; even though, she had a negative test result. She also never had any symptoms.

G. The plaintiff was being marked absent before the date actually occurred. For example, in October, she checked her portal, and she was marked absent on a Thursday and a Friday; even though, it was only Wednesday.

H. The plaintiff had to ask to be paid while she was quarantining with her son; even though, she had sick days available.

I. Marvay Mosley ended her FMLA time before the date of September 15, 2021 due to her quarantining with her son.

J. Her position was ended by Bolton High School, and she was told that she would have to secure another position. She was hired at Melrose High School, but the board would not allow her to go to Melrose High.

K. Even though she was laid off, she was still being marked absent by the district.

L. Some employees who had been with the district for a while were given an extra personal day, and it was reflected in her employee portal as well. However, after checking her portal on a later date, it was no longer there. She has been off, so she hasn't taken a personal day.

## **II. Retaliation Violation of Federal and State Law Argument**

Plaintiff contends that she can establish a prima facie case of retaliation under Title VII in part because when she filed her EEOC charge in May 2021 it contained allegations of retaliation, and the allegations reasonably related or gave rise to a claim of retaliation. “Retaliation claims based on conduct that occurred before the charge is filed must be included in that charge.” Kurtz v. McHugh, 423 F. App’x 572, 576 (6th Cir. 2011) (citing Abeita, 159 F.3d at 254). The defendant’s actions also violate Tennessee Retaliation Act. Title VII of the Civil Rights Act of 1964 as amended makes it unlawful to retaliate against an employee either because she ‘opposed any practice made unlawful [by Title VII],’ or because she has ‘made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing [under Title VII.]’” Kurtz, 423 F. App’x at 577 (quoting 42 U.S.C. § 2000e-3(a)). In order to establish a prima facie case of retaliation under Title VII, an employee must demonstrate that: “(1) [the plaintiff] engaged in activity protected by Title VII; (2) [the plaintiff’s] exercise of such protected activity was known by the defendant; (3) thereafter, the defendant took an action that was ‘materially adverse’ to the plaintiff; and (4) a causal connection existed between the protected activity and the materially adverse action.” Redlin v. Grosse Pointe Pub. Sch. Sys., 921 F.3d 599, 613 (6th Cir. 2019) (quoting Laster v. City of Kalamazoo, 746 F.3d 714, 730 (6th Cir. 2014)). “If [the plaintiff] succeeds in making out the elements of a prima facie case of retaliation, the burden of production shifts [to the employer] to articulate a legitimate, non-retaliatory reason for the termination}.” Id. (quoting Mansfield v. City of Murfreesboro, 706 F. App’x 231, 236 (6th Cir. 2017)). “If the [employer] satisfies its burden of production, the burden shifts back to [the plaintiff] to

show that the reason was a pretext for retaliation.” Id. at 614 (quoting *Mansfield*, 706 F. App’x at 236). Plaintiff believes that she can show the Court that her evidence establishes a prima facie case of retaliation because the evidence shall demonstrate materially adverse action by Defendant. “[T]o meet the requirement of demonstrating a materially adverse action, ‘a plaintiff must show that a reasonable employee would have found the challenged action materially adverse, which in this context means it well might have dissuaded a reasonable worker from making or supporting a charge of discrimination.’” Id. (quoting *Burlington N. & Santa Fe Ry. Co. v. White*, 548 U.S. 53, 68 (2006)). Plaintiff believes that she has or can show the Court identified specific conduct by Defendant as being retaliatory or materially adverse - and the allegations in the complaint challenge specific conduct by Defendant. Plaintiff asserts that her complaint demonstrates a materially adverse action, that reveals a causal connection between her protected activity and the materially adverse action, a showing which requires a plaintiff to establish “that the harm would not have occurred in the absence of – that is, but for – the defendant’s conduct.” Id. at 614-15; see also *Funk v. City of Lansing*, 821 F. App’x 574, 584 (6th Cir. 2020) (“To establish a causal connection . . . a plaintiff must produce sufficient evidence from which an inference could be drawn that the adverse action would not have been taken had the plaintiff not filed a discrimination action.”) (quoting *Nguyen v. City of Cleveland*, 229 F.3d 559, 563 (6th Cir. 2000).

### **III. Disability Count**

25. Plaintiff’s May 2021 filed EEOC Charge stated that Defendant discriminated against her because of her disability in violation of the American with Disabilities Act Amendment’s Act as well as Tennessee’s Disability Act.

26. Plaintiff's May 2021 filed EEOC Charge stated that she continues to be discriminated against because Defendant has not reasonably accommodated her. While the defendant might have engaged in the interactive process, the plaintiff notified the defendant on several occasions that those things weren't working. The plaintiff also kept informing the defendant of some things that the Job Accommodation Network suggested.
27. Plaintiff's May 2021 filed EEOC Charge stated that after she was terminated in May of 2020 for failure to secure a job that a board representative by the name of Whitney Evans contacted her regarding her restrictions in order to place her at another school. The plaintiff emailed Mrs. Evans a copy of her restrictions, which stated that she is unable to use stairs. A month later, she was hired at Cummings Elementary. When she found out that the school didn't have an elevator and that her classroom was on the third floor, she contacted Lashundia Brooks via email to see if her restrictions were considered, Lashundia Brooks didn't respond. After a week of not responding, the plaintiff contacted the union. The union representative contacted Lashundia Brooks to inquire about whether my restrictions were considered. Lashundia Brooks told her that it wouldn't matter because all teachers would be virtual until further notice. However, it did matter because the plaintiff had to go to the school physically on several occasions. Because there was no elevator, she was unable to go to her classroom. Instead, she had to go to the cafeteria, the library, and other places in the building.
28. Plaintiff's May 2021 filed EEOC Charge stated that Defendant in March 2021, she requested to continue to work virtually but Defendant denied the request.
29. Plaintiff's May 2021 filed EEOC Charge stated that she requested from Defendant a motorized wheelchair, ergonomic chair and a specific reserved parking space. She was

told that she would be given a parking spot close to the door, but it wasn't always available due to it not being properly marked. Also, the situation wasn't communicated to other faculty members.

30. Plaintiff's May 2021 filed EEOC Charge stated that Defendant did not provide the reasonable accommodations that were agreed to such as the ergonomic chair even when she returned to work in August of 2021.

31. Plaintiff's May 2021 filed EEOC Charge stated that she was forced to be off work due to Defendant not reasonably accommodating her.

.

#### **IV. Violation of the ADA Argument and Tennessee Disability Act**

Plaintiff asserts that "an employee may prove discrimination based on disability in two ways. The first is by putting forward direct evidence that the defendant had a discriminatory motive in carrying out its employment decision." Burress v. City of Franklin, Tenn., 809 F. Supp. 2d 795, 810 (M.D. Tenn. 2011) (citing Smith v. Chrysler Corp., 155 F.3d 799, 805 (6th Cir. 1998)). The second is through the indirect burden shifting approach articulated in McDonnell Douglas Corp. v. Green, 411 U.S. 792, 802—03 (1973). Under this approach, Plaintiff must first establish a prima facie case of discrimination by showing that: "(1) [s]he was disabled; (2) [s]he was otherwise qualified to perform h[er] job with or without reasonable accommodation; (3) [s]he suffered an adverse employment decision; (4) h[er] employer knew or had reason to know of h[er] disability; and (5) [s]he was replaced or the position remained open while his employer looked for other applicants." *Id.* (citing Whitfield v. Tennessee, 639 F.3d 253, 258-59 (6th Cir. 2011)). "Under the McDonnell Douglas burden-shifting framework, once a



plaintiff makes out a prima facie case, the burden shifts to the defendant to articulate a nondiscriminatory explanation for the employment action, and if the defendant does so, the burden shifts back to the plaintiff to prove that the defendant's explanation is pretextual." Whitfield, 639 F.3d at 259 (citations omitted).

Plaintiff intends to put forth indirect evidence to the Court to support her claims, so the court applies the McDonnell Douglas burden-shifting framework. Schwendeman v. Marietta City Schs., No. 20-3251, 2020 U.S. App. LEXIS 39230, 2020 WL 77113272020, at \*3 (6th Cir. Dec. 14, 2020). Plaintiff believes she can establish a prima facie case of disability under the ADA as well as the Tennessee Disability Act, and she believes that Defendant cannot demonstrate to the court a legitimate nondiscriminatory reason for the adverse employment decisions they subjected her to. Lastly, Plaintiff believes that she can show pretext by showing that the defendant's proffered reason for subjecting her to the alleged adverse employment determinations and actions, has 'no basis in fact,' 'did not actually motivate the employer's action,' or was 'insufficient to motivate the employer's action.'" Jennings v. Cnty. of Monroe, 630 F. App'x 547, 551 (6th Cir. 2015) (quoting Chen v. Dow Chem. Co., 580 F.3d 394, 400 (6th Cir. 2009)).

#### **V. JURY DEMAND**

Plaintiff requests a jury trial.

#### **VI. DAMAGES AND PRAYER**

Plaintiff respectfully prays that Defendant, be summoned to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for the Plaintiff against Defendant for incurred damages:

a. Actual damages in the amount of any lost back pay, lost benefits, and other economic losses.

b. Compensatory damages. (\$300,000, Three Hundred Thousand Dollars) for emotional, and mental stress and anguish)

e. Punitive damages if Jury /Court finds intentional conduct by defendant.

f. any Prejudgment and post-judgment interest.

g. Court costs.

h. Attorney's fees if an Attorney files and enters an appearance on behalf of Pro Se Plaintiff

all in an amount within the jurisdictional limits of the Court, together with interest as allowed by law, costs of court, and such other and further relief to which the Plaintiff may be justly entitled at law or in equity.

*charge filed with the Equal Employment Opportunity Commission or the Tennessee Human Rights Commission.*

11. It is my best recollection that I filed a charge with the Tennessee Human Rights Commission regarding defendant's alleged discriminatory conduct on: \_\_\_\_\_

12. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct on: 05-13-2021  
Date

**Only litigants alleging age discrimination must answer Question #13.**

13. Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct. (check one):

- ☐ 60 days or more have elapsed
- ☐ Less than 60 days have elapsed.

14. The Equal Employment Opportunity Commission (check one):

- ☐ has not issued a Right to Sue Letter.
- ☒ has issued a Right to Sue letter, which I received on Sept 27, 2021  
Date

**NOTE:** This is the date you received the Right to Sue letter, not the date the Equal Employment Opportunity Commission issued the Right to Sue letter.

15. Attach a copy of the Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.

**NOTE:** You must attach a copy of the right to sue letter from the Equal Employment Opportunity Commission.

16. I would like to have my case tried by a jury:

- ☒ Yes
- ☐ No

**WHEREFORE**, plaintiff prays that the Court grant the following relief:

☐

direct that the Defendant employ Plaintiff, or

☐

direct that Defendant re-employ Plaintiff, or

☐

direct that Defendant promote Plaintiff, or

☒

order other equitable or injunctive relief as follows: all benefits  
that plaintiff received prior to discrimination/retaliation

☐

direct that Defendant pay Plaintiff back pay in the amount of \_\_\_\_\_  
and interest on back pay;

☒

direct that Defendant pay Plaintiff compensatory damages: Specify the  
amount and basis for compensatory damages: \$ 300,000 severe  
emotional and mental stress, suffering and humiliation

X Nasha Peete-Geffries  
SIGNATURE OF PLAINTIFF

Date: X Amended  
1/31/22

X 4025 Bishops Bridge RD  
Address

Memphis, TN 38118

X 901-401-8852  
Phone Number

Pro Se Plaintiff Tasha L Peete-Jeffries

## **Exhibit/Supportive Document**



EEOC Form 161 (11/2020)

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

**DISMISSAL AND NOTICE OF RIGHTS**

To: **Tasha L. Peete-Jeffries**  
**4025 Bishops Bridge Road**  
**Memphis, TN 38118**

From: **Little Rock Area Office**  
**820 Louisiana**  
**Suite 200**  
**Little Rock, AR 72201**



On behalf of person(s) aggrieved whose identity is  
**CONFIDENTIAL (29 CFR §1601.7(a))**

EEOC Charge No.

EEOC Representative

Telephone No.

**490-2021-01338**

**Matilda S. Louvring,**  
**Investigator**

**(501) 324-5535****THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: The EEOC will not proceed further with its investigation, and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

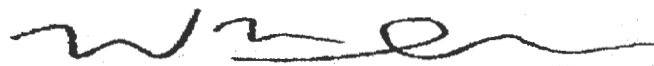
**- NOTICE OF SUIT RIGHTS -**

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



September 23, 2021

Enclosures(s)

**William A. Cash, Jr.,**  
**Area Office Director**

(Date Issued)

cc:

**Jamie Morton, Esq.**  
**Associate General Counsel**  
**SHELBY COUNTY SCHOOLS**  
**160 S HOLLYWOOD ST**  
**RM 115**  
**Memphis, TN 38112**

**Myra Hamilton, Esq.**  
**HAMILTON ENTERTAINMENT & EMPLOYMENT**  
**LAW, LLC**  
**1138 North Germantown Parkway**  
**Suite 101-108**  
**Cordova, TN 38106**

Amended

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Western District of Tennessee



Tasha L Peete Jeffries

Plaintiff(s)

v.

Shelby County Board of Education

Defendant(s)

Civil Action No.

## SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Shelby County Board of Education  
c/o Registered Agent (Office of General Counsel)  
160 South Hollywood  
Memphis, Tenn 38112

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Tasha L. Peete-Jefferies, Pro Se Plaintiff  
4025 Bishops Bridge Road  
Memphis, Tenn 38118

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Clerk or Deputy Clerk



The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

Tasha L. Peete Jeffries

**DEFENDANTS**

Shelby County Board of Education

(b) County of Residence of First Listed Plaintiff Shelby

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Shelby

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- (For Diversity Cases Only)
- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	PERSONAL INJURY	PERSONAL INJURY - PRODUCT LIABILITY	FORFEITURE/PENALTY	BANKRUPTCY	LABOR	IMMIGRATION	REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	LABOR	IMMIGRATION	LABOR	IMMIGRATION	LABOR	IMMIGRATION
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 791 Employee Retirement Income Security Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 791 Employee Retirement Income Security Act
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 530 General	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 791 Employee Retirement Income Security Act
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 530 General	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 791 Employee Retirement Income Security Act
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine Product Liability	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 530 General	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 791 Employee Retirement Income Security Act
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 465 Other Immigration Actions		<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 530 General	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 791 Employee Retirement Income Security Act
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 465 Other Immigration Actions		<input type="checkbox"/> 448 Education	<input type="checkbox"/> 530 General	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 791 Employee Retirement Income Security Act
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 465 Other Immigration Actions		<input type="checkbox"/> 448 Education	<input type="checkbox"/> 530 General	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 791 Employee Retirement Income Security Act
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 465 Other Immigration Actions		<input type="checkbox"/> 448 Education	<input type="checkbox"/> 530 General	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 791 Employee Retirement Income Security Act
<input type="checkbox"/> 190 Other Contract		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 465 Other Immigration Actions		<input type="checkbox"/> 448 Education	<input type="checkbox"/> 530 General	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 791 Employee Retirement Income Security Act
<input type="checkbox"/> 195 Contract Product Liability		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 465 Other Immigration Actions		<input type="checkbox"/> 448 Education	<input type="checkbox"/> 530 General	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 791 Employee Retirement Income Security Act
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 465 Other Immigration Actions		<input type="checkbox"/> 448 Education	<input type="checkbox"/> 530 General	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 791 Employee Retirement Income Security Act

**V. ORIGIN** (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 U.S.C. § 2000e-17 and 42 U.S.C. § 12112-12117

Brief description of cause:

Employment Discrimination based upon Disability and Retaliation which violate both federal and TN laws.

**VII. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.DEMAND \$  
\$300,000

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE:

DOCKET NUMBER:

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE